

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CONSTELLATION NEWENERGY, INC., :
:
Plaintiff, : Civil Action No. 02-CV-2733 (HB)
:
v. :
:
POWERWEB TECHNOLOGIES, INC., :
:
Defendant. :

ORDER

AND NOW, this ____ day of _____, 2004, upon consideration of Plaintiff Constellation NewEnergy, Inc.'s Motion *in Limine* to Preclude Expert and Opinion Testimony By Lothar Budike, Jr., and Andrew Bakey, it is hereby ORDERED and DECREED that Plaintiff's Motion is GRANTED. Powerweb Technologies, Inc. is precluded from offering expert and opinion testimony by Mr. Budike and Mr. Bakey at trial pursuant to Federal Rules of Evidence 701 and 702.

BY THE COURT:

The Honorable Harvey Bartle, III, J.